

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HECTOR FLORES,
Petitioner,

CIVIL ACTION

v.

SUPERINTENDENT KERESTES, et al.
Respondents.

NO. 13-2889

ORDER

JOEL H. SLOMSKY, J.

AND NOW, this 2nd day of ~~DECEMBER~~ 2013, upon careful and independent consideration of the petition for Writ of *Habeas Corpus* (Doc. 1) and Motion for Abeyance (Doc. 4), and after review of the Report and Recommendation of United States Magistrate Judge Linda K. Caracappa, IT IS ORDERED that:


- i. The Report and Recommendation is APPROVED and ADOPTED.
- ii. The petition for Writ of *Habeas Corpus* is STAYED and held in ABEYANCE until the conclusion of petitioner's state court proceedings.
- iii. Petitioner shall notify this federal court within forty-five (45) days following the conclusion of his state court proceedings. If petitioner does not return to federal court within forty-five (45) days following the conclusion of state proceedings, this stay and abeyance order is vacated and his petition is dismissed without prejudice.
- iv. There is no probable cause to issue a certificate of appealability.
- v. The Clerk of the Court shall mark this case closed for statistical purposes.

BY THE COURT:

ENTERED

DEC 02 2013

CLERK OF COURT


JOEL H. SLOMSKY, J.